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REPORT OF THE SECRETARY-GENERAL ON THE QUESTION CONCERNING HAITI

I. INTRODUCTION

1. The present report is submitted in accordance with paragraphs 8, 9 and 14 of Security Council resolution 940 (1994) of 31 July 1994.

2. In paragraph 8 of that resolution, the Security Council decided that, when a secure and stable environment was established by the multinational force and the United Nations Mission in Haiti (UNMIH) had adequate force capability and structure to assume the full range of its functions described in paragraph 9 of the same resolution, the Council, taking into account recommendations from States members of the multinational force, to be based on the assessment of the Commander of the force, and from the Secretary-General, would determine the termination of the mission of the multinational force and the transition to UNMIH.

3. In paragraph 9 of resolution 940 (1994), the Security Council revised and extended the mandate of UNMIH for a period of six months. The present mandate of UNMIH will thus expire on 31 January 1995.

4. In paragraph 14 of the resolution, the Security Council requested me to report on its implementation at 60-day intervals starting from the date of deployment of the multinational force. I submitted the first such report (S/1994/1322) on 21 November 1994. The next report is accordingly due not later than 20 January 1995.

5. The present report assesses the current security situation in Haiti, the threats that may be confronted in the future and the means needed for the international community to assist the Government of Haiti to counter them; it contains my recommendations on the future of UNMIH; and it fulfils the reporting requirements arising from paragraph 14 of resolution 940 (1994).

6. In addition, the United States of America has regularly reported to the Security Council on the activities of the multinational force, in accordance with paragraph 13 of the same resolution.

7. It will be recalled that, at the invitation of President Jean-Bertrand Aristide, I visited Haiti on 15 November 1994. During that visit, I had an opportunity to hold extensive and in-depth consultations with the President and with Prime Minister Smarck Michel and his senior ministers.

8. My Special Representative has visited Haiti on three occasions and will shortly take up residence there. He was received by President Aristide on each of his visits. He also met repeatedly with the Prime Minister and other members of the administration, parliamentarians, foreign diplomats, religious, political and trade union leaders and representatives of non-governmental, human rights and grass-roots organizations.

9. The present report is also based on field assessments by the military and civilian police members of the UNMIH advance team and by staff of the International Civilian Mission in Haiti (MICIVIH). Representatives of United Nations agencies in Haiti were also asked for their input through the Resident Representative of the United Nations Development Programme (UNDP).

II. SECURITY SITUATION

A. Situation before the deployment of the multinational force

10. In the months before the peaceful deployment of the multinational force on 19 September 1994, State violence, perpetrated by the Armed Forces of Haiti (FADH), the "attachés" and the Front révolutionnaire pour l'avancement et le progrès d'Haïti (FRAPH), escalated significantly. In its report covering the first half of 1994 (A/48/532/Add.3 and Corr.1), MICIVIH noted "an alarming increase in extrajudicial executions, suspect deaths, abductions, enforced disappearances and politically motivated rapes" in the metropolitan area (para. 23). Basic human rights were being trampled on in the interior as well (para. 55). The emergence of FRAPH, which operated in conjunction with FADH in numerous localities, had aggravated the situation (para. 56). The report concluded that Haiti was "experiencing an unprecedented human rights crisis" and that "the aim of the repression" was "to destroy the pro-democracy movement and the associated working-class and peasant sector" (paras. 90 and 93).

11. During the same period, FADH had granted arms permits to tens of thousands of civilians and weapons had been distributed in large numbers. Acts of extortion and smuggling were widespread.

B. Current security situation

12. Following the arrival of the multinational force and the subsequent disintegration of FADH, the human rights situation has improved. Politically motivated violence and human rights abuses have decreased, although individual acts still occur sporadically and MICIVIH, for instance, has investigated beatings of detainees by FADH. It has also received reports of violent attacks by former section chiefs, "attachés" or alleged FRAPH members. Since the killing of the second deputy mayor of Mirebalais on 4 November 1994, however,

MICIVIH has not heard of any murder ascribed to the former military or paramilitary forces.

13. Haitians can now enjoy their fundamental rights, in particular freedom of expression, association and assembly. In a number of places, however, particularly in parts of the Artibonite region, people have said that they are afraid to meet or demonstrate, because of continued activities by former FRAPH members or "attachés". Politically motivated arrests by local judicial officials associated with FRAPH have occurred, but arrests for the expression of political views have largely ceased. Large numbers of displaced people have come out of hiding and returned to their homes. Overall, there is a feeling of liberty and a sense of security that did not exist previously. This is particularly striking in the areas where the multinational force has been deployed.

14. The flurry of acts of vengeance and retribution that erupted immediately prior to and after the return of President Jean-Bertrand Aristide on 15 October 1994 was short-lived. The President has repeatedly called for reconciliation and his appeals have been heeded by the population.

15. On the other hand, the collapse of FADH and the dissolution of the corps of section chiefs have created a security void that has contributed to a marked increase in banditry and criminality throughout the country. This trend is difficult to assess, given the lack of statistical records, on the one hand, and the impact of improved reporting, on the other.

16. In Port-au-Prince, murders are reported almost daily. Unidentified groups are extorting goods and money from local merchants. Other criminal groups are setting roadblocks to stop vehicles and rob their passengers.

17. In the countryside, one or two criminal deaths are reported daily. In a number of departments, people report continuing abuses by section chiefs and the existence of bands composed of former "attachés" or FRAPH members. So far, such bands have sought to intimidate members of local popular organizations rather than engage in actual violence. They are particularly active in the Artibonite region. In some areas, the people are so concerned that they appear ready to welcome the return of the former section chiefs. Land conflicts, many of which are long-standing, are also giving rise to violence, now that they are no longer suppressed as a result of FADH's support for one party to the dispute.

18. There is no evidence so far that these criminal acts are politically motivated. However, they are often committed by gangs armed with high-calibre firearms, including automatic weapons, which indicates a probable link to former paramilitary networks. Whatever their motive, these acts of violence do affect security and will have a destabilizing effect if they are not brought under control.

19. Until the incident on 12 January 1995, when two members of the United States Special Forces were attacked at a roadblock in Gonaïves and one of them and one of their aggressors were killed, there had been virtually no incident against international personnel since 24 September 1994, the date of the confrontation between the multinational force and FADH in Cap Haïtien.

C. Threats to future stability

20. The relative security currently enjoyed by the Haitian people remains very fragile. The political and social environment now prevailing contains many factors that could lead to future instability:

(a) The disaffection of former FADH members, especially those who have been demobilized, the probable continued existence of paramilitary networks and the availability of arms;

(b) Rising frustration at the inability of the justice system to address past human rights violations and current criminality;

(c) The delay in translating economic measures and development programmes into concrete improvements in the daily life of the impoverished majority of the population;

(d) The additional tension that may be generated by the forthcoming elections.

21. Each of the above factors is discussed below. They must be taken seriously, but they should not make people forget that President Aristide returned to a devastated country only 3 months ago and that his Government has been in place for less than 10 weeks. Much has been achieved during this time, yet the impatience of a population that suffered so much, for so long, is understandable. The future stability of the country requires that the international community live up decisively to its commitment to help the Government of Haiti to achieve its aim of rebuilding the nation.

D. Military and paramilitary forces

22. With few exceptions, FADH is regarded by the Haitian people as their former oppressors. It is seen as corrupt and, in many instances, as harbouring murderers. The decision to reduce the size of the army is, therefore, widely supported by the population. Indeed, there has been a growing number of open calls for the complete disbanding of FADH.

23. In what remains of FADH, confusion over the Government's plans, particularly over compensation and re-employment of demobilized officers and soldiers who have not been chosen for the Interim Public Security Force (IPSF) and will not be retained in the new army, has created a deep malaise. The incidents that took place on 26 December 1994 at FADH headquarters testify both to the anger of the dismissed FADH members and to the hostility of ordinary Haitians towards them.

24. Steps are being taken towards resettling the demobilized personnel, who have been told that they will be offered jobs in the ministries of agriculture, public works and health. They have also been encouraged to enter the retraining programme of the International Organization for Migration that has just started. In addition, they will receive the severance payments legally due to them. However, a clear resettlement plan has yet to be developed.

25. Paramilitary networks are no longer visible. But Haitians are quick to point out that they have not been effectively disarmed or dismantled. They also point out that, despite the sudden conversion of Mr. Emmanuel Constant to democratic values and his enthusiastic support for national reconciliation, it is hard to believe that his organization, FRAPH, has really undergone a metamorphosis into a legitimate political party. Haitians quote past experience to show that the departure of some leaders of the paramilitary networks into exile or their disappearance from public view is no guarantee that these feared organizations will not re-emerge in the future.

26. Nor have old practices associated with the paramilitary networks ceased completely. Some section chiefs and their auxiliaries still try to earn their living through intimidation and extortion. Hard evidence exists only in a limited number of cases. Yet, rumours, unsubstantiated but persistent, maintain that the practice is common.

27. These rumours, denied by the multinational force, speak even of prominent coup and Duvalierist leaders secretly returning from exile to attend meetings in the middle of Port-au-Prince. Experienced Haitian observers believe that these groups were totally dependent on the protection and leadership of the army. They think it very doubtful that, with that now gone, the section chiefs, the "attachés" and the like could develop any major coordinated operation.

28. It is, however, a political reality that large numbers of Haitians feel insecure. They remember that the paramilitary networks were very well armed and, although no one knows exactly how many weapons are still in the hands of former "attachés", FRAPH members, etc., the common belief is that many arms remain hidden. During a survey in the countryside, United Nations civilian police were told that large weapons caches were buried in the mountains but these allegations have not been substantiated.

29. The multinational force has acted on all information it has received. Very often, no arms were discovered. It is nevertheless the policy of the multinational force to follow all the leads that are offered. I hope that the continuation of the disarmament programme will not only lead to the recuperation of more weapons but, more importantly, reassure the population that the hated paramilitary networks will never exercise their rule of terror again.

E. Lack of justice and possible retribution

30. Reform of the judicial system stands high on the Government's priority list. Judicial officials are inadequate in number and quality and their lack of supporting infrastructure is long-standing. In a few places, nevertheless, judicial officials of some competence command a degree of public confidence. But in many more areas, the situation is confused and the system is not functioning. Little progress has been made so far in confirming or replacing "commissaires du gouvernement", some of whom have records of close involvement with human rights violations under the de facto regime.

31. Growing frustration is being expressed at the inability or unwillingness of the system to prosecute human rights offenders or common criminals. This could

spark a wave of retribution and vengeance by the victims of past and present violence. A noticeable increase in vigilante activities over the past few weeks has been reported, particularly in Port-au-Prince, Cap Haitien and Port de Paix.

32. According to the Constitution, judges are supposed to be chosen from lists established by local assemblies but the latter do not exist yet. Canada, France and the United States have all expressed willingness to help the Government's judicial reform programme. The Secretary-General of the Organization of American States (OAS) has also made suggestions, some of which could be implemented through MICIVIH. All these projects will take time to materialize. They will address the root-causes of the inefficiency of the Haitian judicial system, but other problems, such as the low level of salaries - often a major cause of corruption - will also need to be solved.

33. The establishment of the Commission on Justice and Truth by President Aristide, earlier this month, was well received by the human rights organizations. If this Commission can accomplish its mandate in the manner expected of it by the public at large, it will help to lessen popular frustration.

34. Besides properly functioning tribunals, decent jails are also needed where prisoners can be detained and treated in a humane way. For the time being, prisoners are kept in appalling conditions, without any medical care and with food usually provided by their families. In many detention centres no records are kept. Escapes are common. The multinational force, mainly through the initiative of the Special Forces, has upgraded the jails in some localities, but there is an urgent need for a comprehensive scheme to improve the facilities and reorganize the detention system. A delegation from the Secretariat's Centre for Human Rights in Geneva and the Crime Prevention Branch in Vienna has paid special attention to this problem. The World Food Programme (WFP) might be able to set up a programme of food for prisoners if the Haitian Government requested it.

F. Economic problems and discontent of the population

35. The return of President Aristide and the repeated promises of aid by world leaders and international financial and development institutions have raised very high expectations of jobs, education and a better life for all. The Government could not be expected to meet these expectations less than two months after its formation. But the traditionally patient Haitian people are starting to complain about high prices and unemployment. On 16 December, a demonstration was organized on these themes by the "Ti Kommunoté Légliz", a grouping of religious grass-roots organizations. Other incidents have occurred, such as a demonstration of jobless people at the Finance Ministry on 29 December that United States military personnel and international peace monitors had to disperse. In Port-au-Prince, the number of such demonstrations appears to be increasing.

36. The availability of electricity is essential to the resumption of economic activity, including assembly and light manufacturing industry. It has a significant impact not only on the mood of the population but also on its

safety, as a direct correlation has been shown to exist between blackouts and crimes. The United States military has agreed to remain in charge of fuel delivery until mid-January and has been asked to postpone for a second time the planned transfer of authority to the Haitians. Even when a successful handover can be arranged, three issues will still need to be addressed: the seasonal reduction in power production by the hydroelectric plant of Peligre; the repair of equipment not presently operational; and the management of Electricité d'Haïti.

37. The Government has produced a budget for the fiscal year 1995 and it is now expected that all preconditions (letter of intent with the International Monetary Fund, clearing of the arrears on external debt, etc.) will be fulfilled, thus allowing both bilateral and multilateral development programmes to enter the implementation stage.

38. The United Nations system is already doing its share through UNDP, the World Health Organization (WHO), the Food and Agriculture Organization of the United Nations (FAO), WFP, the United Nations Population Fund (UNFPA), the United Nations Children's Fund (UNICEF) and the United Nations Educational, Scientific and Cultural Organization (UNESCO), all of which are represented in Haiti. I would like to take this opportunity to pay tribute to their field officers who worked throughout the past few years, helping the people of Haiti without compromising themselves or their respective organizations with the de facto regime. The same tribute is due to the non-governmental organizations (NGOs) that are also doing a good job in Haiti. The NGOs may however be fast approaching the saturation point in their implementation capacity and donor countries cannot count on them to execute a large part of their development programmes. There is ample room to increase Haiti's own absorption capacity through various schemes of assistance earmarked both in the joint United Nations-OAS appeal and in the emergency economic recovery programme under the chapter of "Governance".

39. The importance of economic development cannot be stressed strongly enough. Haiti is a country that is extremely poor by any standard, and the last crisis has caused further damage to its economic and social conditions.
President Aristide himself, acutely aware of his country's realities, has often repeated that his goal, in the first stages of the new order, will merely be to lift Haiti "from misery to poverty".

G. Reconciliation and elections

40. The electoral process has started with the establishment on 8 December 1994 and the inauguration on 22 December 1994 of a Provisional Electoral Council. An electoral bill has been adopted by the Council and election dates are to be announced soon. Technical assistance for the electoral process is being provided in two phases. The preparatory phase started with the visit of a needs assessment mission from 26 October to 1 November 1994. The second phase, in which the bulk of the technical assistance will be provided, has begun with the establishment of the Provisional Electoral Council.

41. Given the present political context, tensions have to be expected before, during and after the elections. While many Haitians do not expect that legislative and local elections will cause a "high electoral fever", they do not rule out violent attempts to disrupt the process. Nor do they exclude the possibility that election time could be an opportunity for people to settle personal scores. They particularly stress the need for better security in the countryside. They believe that, provided security is visibly assured, calls by the President to take part in the elections, coupled with an effective civic education campaign, should ensure a good turnout and results that will be accepted as free and fair.

III. HAITIAN SECURITY FORCES

A. Interim Public Security Force

42. By the end of December 1994, IPSF, trained by the International Criminal Investigative Training Assistance Programme (ICITAP) under a bilateral agreement between Haiti and the United States, numbered approximately 3,000 men. The interim policemen attended a six-day training course dealing mainly with human rights issues and the Code of Conduct for Officials Law Enforcement.

43. IPSF personnel have been selected from FADH by a Haitian committee of four colonels, headed by the new Commander-in-Chief of the Armed Forces, General Bernardin Poisson. The vetting process has been questioned by some popular organizations, such as the office of "Justice et Paix" in Gonaïves, which claimed that known human rights abusers had been accepted. On the other hand, it has also been criticized for not giving rejected military personnel the possibility of arguing their case. FADH officers above the rank of captain have not been included in the basic course but may be offered special training sessions in January, after going through the vetting process.

44. President Aristide has placed IPSF under the command of a three-member Commission headed by Major Dany Toussaint, which will report to the Minister of Justice. This should help to clarify how, and under what command, IPSF will function.

45. The IPSF personnel are working with the cooperation of some 800 international police monitors (IPMs), a ratio of more than one IPM for every four Haitian interim policemen. The IPMs are deployed in 10 cities besides Port-au-Prince and have visited over 120 locations. They provide the IPSF members with two hours of on-the-job training per day, on the basis of a structured training programme. However, in some areas, for instance in the north and the south-west, interim policemen have not yet been deployed.

46. The population's acceptance of IPSF varies from place to place. It is said to be improving with the help of the Ministry of Information and Coordination, which has launched a radio campaign explaining the need for a police force and the functions required of it.

47. According to the IPMs, the IPSF's overall performance is good. Its personnel report to work, go out on patrol and are gaining confidence, although

they have seldom operated without the support of IPMs. In a few instances, they have nevertheless arrested alleged criminals on their own.

48. However, the morale of many of them is low, they are not highly motivated and discipline is not always what it should be. This may be due in part to the uncertainty surrounding their future. They will be gradually replaced by the National Police Force (see below), which should reach a strength of 3,000 by January 1996. At this stage, it seems that about one third of the IPSF members (1,000) will join the new Army. The others will be allowed to apply for the National Police, but only if they satisfy the academic and other criteria, which few of them will be able to do.

49. Another demoralizing factor is the fact that arrests seldom receive the proper follow-up for lack of a functioning justice system and decent prisons. If they cannot be presented before a judge within 48 hours, alleged criminals are released, free to avenge themselves and to pursue their criminal activities.

50. In addition to being poorly trained, sometimes unwelcome and demoralized, IPSF lacks essential equipment, particularly communications and vehicles. Here again, I urge Governments and development agencies to speed up execution of the required aid programmes to provide at least the bare minimum of equipment necessary.

B. Guantanamo trainees

51. Some 900 Haitians trained by the United States authorities in Guantanamo had arrived in Haiti by the end of December. These young men and women have received two to three weeks' training as police auxiliaries. They have not been given weapons or trained to use them. First reports indicate that they are eager to carry out their responsibilities and are well accepted by the population. It is too soon, however, to assess their performance and cooperation with IPSF. Both their integration in the chain of command and their status are still to be determined.

C. Policemen trained in Canada

52. About 100 Haitian expatriates have been trained for three months in Canada and are expected in Haiti shortly. Although lacking experience on the ground, they will be the first group to have attended a normal training course. It is not clear yet what their function will be nor how they will be integrated into the future National Police.

D. National Police

53. The law on the creation of the Haitian civilian police was adopted by Parliament on 30 November 1994 and promulgated by President Aristide on 23 December 1994. Candidates for the National Police are being registered and selected. Even though the selection criteria include a minimum education level

of tenth grade for the Police School and the "baccalauréat" for the Police Academy, applicants are expected to number tens of thousands.

54. The first four-month course in the Academy is scheduled to begin on 30 January 1995. Each month, some 375 applicants will start their training by ICITAP, which has recruited United States, Canadian, French and Norwegian instructors. The first graduates are expected to be deployed on the ground at the beginning of June 1995.

E. Armed Forces

55. On 6 January 1995, President Aristide signed a decree authorizing the creation of a Committee to Restructure the Armed Forces of Haiti. Headed by the Minister of Defence, General Wilthan Lhérisson, it will comprise several members of the current High Command, including Brigadier-General Poisson. It will establish rules for the creation of a new army of 1,500 soldiers. Plans for this restructuring have not yet been finalized, though it appears that the new Army will consist of three highly professional battalions. Training will be required as soon as possible.

IV. UNITED NATIONS MISSION IN HAITI

56. UNMIH will consist of civilian, military and civilian police components under the control of my Special Representative, Mr. Lakhdar Brahimi. It will work closely with the joint United Nations OAS Civilian Mission (MICIVIH), whose Director reports to my Special Representative, as well as to the Secretary-General of OAS.

A. Mandate

57. Security Council resolution 940 (1994) provides that the mandate of UNMIH is to assist the democratic Government of Haiti in fulfilling its responsibilities in connection with:

(a) Sustaining the secure and stable environment established during the multinational phase and protecting international personnel and key installations;

(b) The professionalization of the Haitian Armed Forces and the creation of a separate police force;

(c) Establishing an environment conducive to the organization of free and fair legislative elections to be called by those authorities and when requested by them, monitored by the United Nations in cooperation with OAS.

58. The conditions that will prevail in Haiti when the time comes for UNMIH to take over from the multinational force will not be the same as those which were foreseen when resolutions 867 (1993) and 940 (1994) were adopted. It may

therefore be necessary for UNMIH's mandate to be adapted to the realities on the ground.

59. For example, it had been assumed that the top leaders of the Haitian army would have departed but it was not foreseen that FADH would collapse in a matter of days, thus leaving the country without any security force. In these circumstances, the creation of a Haitian police capacity could not wait until the second phase when UNMIH was to train the new police force. The multinational force understandably went ahead and began training IPSF, as a stop-gap measure. At the same time the United States, through a bilateral agreement with the Government of Haiti, created the Police Academy which, as indicated earlier, will start training the new National Police Force by the end of the current month.

60. It nevertheless remains valid for UNMIH to undertake the tasks originally entrusted to it by Security Council resolutions 867 (1993) and 940 (1994), but their implementation will have to take into account both what has happened and the Government's new objectives.

61. As regards the Army, resolution 867 (1993) provided that UNMIH would, in addition to providing a training programme for FADH, deploy a military construction unit to work with the Haitian military on construction projects relevant to its modernization and of benefit to the civilian population (e.g. road building, well drilling, etc.). As mentioned in paragraphs 13 and 15 of my report of 25 August 1993 (S/26352), these projects have been designed, in consultation with the Government, to give military personnel on-the-job training in relevant construction and engineering skills, including non-combat skills in areas relating to disaster preparedness and relief. Construction materials and other expenditures relevant to the Mission's mandate not normally financed from assessed contributions in peace-keeping missions will have to be funded separately through a trust fund, the establishment of which has been authorized by paragraph 10 of resolution 867 (1993).

62. The task of UNMIH in the police sector will likewise be adapted to the new realities. But the Civilian Police component of UNMIH (CIVPOL) will still assist in the establishment and organization of a national police force separate from the Armed Forces. It will accordingly monitor and provide guidance and training to all levels of the IPSF and later the National Police. Its presence throughout Haiti and the example set by its personnel will have a favourable impact on the manner in which police work is, and will be, carried out in Haiti. The close contacts CIVPOL members of the advance team have developed with the IPMs will enhance their capabilities by giving them the benefit of their colleagues' experience during the multinational force phase.

63. By helping to sustain a secure and stable environment, UNMIH will facilitate the Government's conduct of free and fair parliamentary and presidential elections, culminating in the peaceful transition to a newly elected Government in February 1996.

B. Rules of engagement

64. UNMIH's rules of engagement will be defined in accordance with its mandate under resolution 940 (1994). In accordance with normal practice, they will authorize the use of force in exercise of the right of self-defence, including opposing forcible attempts to impede the discharge of the Mission's mandate. The concept of "assistance" to the Government of Haiti in sustaining the secure and stable environment established during the multinational force phase may include the use of force, if no other means are adequate or available for the above purpose. The level of such assistance will be determined on the ground in the light of prevailing conditions by my Special Representative, in consultation with the Commander of the military component of UNMIH and in close cooperation with President Aristide and his Government.

65. As stated in paragraph 9 of my report of 15 July 1994 (S/1994/828), the assistance to the Government of Haiti by the military component of UNMIH in sustaining public order would not extend to law and order duties such as the arrest, detention and prosecution of individuals. The only exception would be the detention of individuals who attacked members of the force or otherwise endangered the Mission's mandate, but detention would be limited to a brief period until the individuals concerned could be handed over to an appropriate Haitian authority.

C. Structure of the military component

66. The military component of 6,000 personnel will consist of five infantry battalions including Special Forces elements and a number of support units, including a military police battalion, an engineer unit, logistic elements and some smaller support elements such as movement control, military public information, coastal ferry and communications. These will be deployed at 10 locations in 5 sectors throughout the country, with particular attention to Port-au-Prince and Cap Haïtien. The military component will also include a quick reaction force, based on infantry and helicopter assets and stationed in Port-au-Prince. The quick reaction force will react to any incident, anywhere in the country, which cannot be dealt with in a timely manner by the sector commander concerned. The Special Forces elements will be used for a period of time to assist the transition from the multinational force to UNMIH and during the elections.

D. Deployment

67. The units will be deployed in such a manner as:

(a) To be conducive to the protection of international personnel and key installations;

(b) To facilitate resupply, command and control and force protection;

(c) To be logistically supportable;

(d) To support the maintenance of the quick reaction force.

Five sectors will be drawn along administrative boundaries to facilitate coordination with the Haitian authorities. Each sector will have one infantry battalion.

68. The Civilian Police component will similarly have a structure of five divisions, each division being co-located with an infantry battalion. This will enhance coordination and cooperation between these two components of UNMIH.

E. Concept of operations

69. UNMIH will establish its headquarters in Port-au-Prince and subheadquarters in the five sectors. With the dispersal of UNMIH military and police personnel throughout the territory of Haiti, logistical requirements will be considerable and will include a minimum of 15 helicopters, 1,400 overland vehicles including 80 armoured personnel carriers (APCs) and 6 Zodiac-type watercraft, as well as a 24-hour communication system.

70. The expanded UNMIH will need to have freedom of movement and communication and to enjoy other rights that would be necessary for the performance of its tasks in Haiti. UNMIH and its personnel will also have to be granted all relevant privileges and immunities provided for by the Convention on the Privileges and Immunities of the United Nations. A status-of-mission agreement will soon be discussed with the Government of Haiti to facilitate the early dispatch of the Mission.

F. Preparations for the transition

71. Security Council resolution 964 (1994) authorized the progressive strengthening of the advance team of UNMIH up to 500 personnel in order to further facilitate planning of UNMIH, identification of conditions required for the transition from multinational force to UNMIH and preparation for the actual transition, as well as to make good offices available for the achievement of the purposes approved by the Council in resolution 940 (1994). The strength of the advance team has accordingly been increased from 51 personnel as of 21 November 1994 (see S/1994/1322, para. 9) up to 110, consisting of 18 military observers, 40 civilian police personnel, 15 military planners and 37 administrative staff.

72. On the instructions of my Special Representative, the military observers and civilian police have been deployed throughout Haiti during the past month for on-site planning for the transition and to assess the security situation. The administrative and logistic personnel have concluded the operational and logistical plans for the Mission's deployment.

73. In accordance with the usual practice, consultations with Governments have continued at Headquarters to secure the necessary military and civilian police

personnel. The Government of Haiti is kept fully informed of these consultations. My recommendations in this regard will be submitted to the Security Council in due course. But I am glad to be able to report at this stage that, of 80 Governments invited to contribute military and/or police personnel, 27 have offered a total of 7,582 military personnel (staff officers, military observers and formed units) and 18 have offered 1,056 civilian police personnel.

74. There have also been intense discussions, at Headquarters and in Washington, with multinational force officials on problems that need to be solved before the transition from the multinational force to UNMIH.

75. Major-General Joseph Kinzer of the United States of America has been appointed as Commander of the military component of UNMIH. Before making the appointment, I had informed President Aristide of my intention and the President had indicated his concurrence.

G. Transition timetable

76. Multinational force personnel and units due to be transferred to UNMIH (approximately two thirds of the military and one third of the civilian police component of UMMIH) will pass under UNMIH command two weeks prior to the date of handover. The multinational force will not complete its withdrawal until UNMIH has adequate force capability and structure to assume the full-range of its responsibilities. It is expected that the transition can be completed on or about 31 March 1995.

77. To facilitate the transition, UNMIH will establish its headquarters by the end of February 1995. This will be done in accordance with Security Council resolution 964 (1994), which authorized the progressive strengthening of the advance team up to 500 personnel. Contingents' advance teams will begin deploying in the first week of March and the contingents themselves by mid-March 1995. The civilian police component's transition will be conducted in a similar fashion with a gradual deployment starting in early March 1995. The structure of UNMIH's military component will be very similar to that of the multinational force at the time of transition. UNMIH will also be provided with resources as close as possible to those of the multinational force. Units that are not sufficiently equipped or trained will be deployed at a later stage, as soon as they become fully operational. The fact that so much of UNMIH'S strength will already be in Haiti with the multinational force will allow for continuity of operations and facilitate the transition.

V. OBSERVATIONS AND RECOMMENDATIONS

78. As indicated above, the security situation has improved considerably since the peaceful deployment of the multinational force, the end of the de facto regime and the return of President Jean-Bertrand Aristide. Indeed, Haiti has not enjoyed this level of security for a very long time: people can move freely throughout the country; the constitutional Government exercises its authority

over the whole country; and the Provisional Electoral Council is making preparations for legislative and local elections.

79. No serious danger to the existence of the Government can be identified. If anonymous threats are received by some members of President Aristide's administration, through the mail or by telephone, this calls for vigilance, not for excessive concern. International personnel, be they United Nations, multinational force or NGOs, travel everywhere, even to the most remote parts of the country, and carry out their missions in reasonably good conditions.

80. The FADH of the recent past exist no more as an organized force. Although Haitians, after bitter experience, are suspicious that the exiled officers, the dismissed soldiers and the feared networks of "attachés" may reorganize and try a comeback at a later stage, the means for them to do so are limited.

81. There is, however, no room for complacency. The unfortunate incident that occurred on 12 January 1995, in which a member of the multinational force and his Haitian attacker lost their lives, was a reminder that everyone needs to be alert at all times, and that utmost care must be the order of the day.

82. There are still all too many crimes: murders, armed robberies, beatings, rapes. Haitians are justifiably concerned that perpetrators are seldom caught and that, when they are, they all too often manage to regain their freedom without proper investigation and due process. That these crimes are not politically motivated is positive. But they are a breach of security and they do negatively affect the social atmosphere in the country.

83. In the remaining weeks before the handover to UNMIH, the multinational force will, I am sure, continue to work actively with the Government of Haiti to improve the security situation. It will continue the disarmament programme even more energetically than before; and will help the Haitian security forces to investigate every unlawful act and, hopefully, arrest some of the thugs who, acting individually or in groups, are responsible for many of the crimes in Port-au-Prince and elsewhere.

84. It is also of the greatest importance that steps be taken urgently to provide IPSF with the equipment it so conspicuously lacks. In reality, it has no equipment at all at present - no vehicles, no radio-communication system, almost no telephones. I understand that a number of countries, including Canada, France, Germany, Japan and the United States, as well as the European Union, have expressed willingness to help the Haitian police with various types of equipment. I strongly urge them, as well as other countries and institutions that can help, to provide the needed support as soon as possible.

85. It is nevertheless clear that, even with these actions by the multinational force and interested Governments, an effective Haitian police force will not yet exist by the time UNMIH takes over. IPSF is untested and lacks, besides basic equipment, the experience and self-confidence that are indispensable to any police force - especially in so delicate a stage as the one Haiti is going through at this time. An added complication will be the sensitive issue of integrating 3,000 former FADH soldiers who will have received one week's training locally, 900 young people who have had a three-week training programme

in Guantanamo and 100 graduates from a three-month course in Canada. Only in June 1995 will members of the National Police begin to appear on the streets after graduating from the Police Academy at the expected rate of 375 police officers each month.

86. In these circumstances, the task of the civilian police in UNMIH will be quantitatively greater and qualitatively more demanding than has been the case in previous peace-keeping operations in which United Nations civilian police have been deployed. For this reason they will carry personal weapons. Their core mandate will be to train, guide and monitor the fledgling Haitian police force as it assumes its functions and learns to deal effectively with the threats to security and stability described above. But in the early stages UNMIH, like the multinational force at present, may itself have to take coercive action from time to time, in the closest consultation with the Government of Haiti and in accordance with the rules of engagement described in paragraphs 64 and 65 above.

87. I am confident that UNMIH can accomplish this mission if it is given the resources it needs. In this connection, it was originally thought that 567 civilian police officers would be the minimum strength required to carry out UNMIH's mandate in this field. Given that the present stage of development of security forces in Haiti is what it is, that it is now necessary to deploy CIVPOL throughout the country and that the multinational force considers that its 800 IPMs were not enough, I recommend that the police component of UNMIH be increased to 900 civilian police officers.

88. Some of the CIVPOL personnel who will serve in UNMIH are already in-country as IPMs with the multinational force. Their experience and their familiarity with Haiti, its people and its culture will be invaluable. It is also an asset that nearly two thirds of the military component of UNMIH will also roll over from the multinational force and will also, therefore, be familiar with the country.

89. Last but not least, generous commitments have been made to help Haiti out of its very serious economic difficulties. I call on all those - Governments, international development agencies, regional organizations, NGOs, as well as members of the United Nations system who are engaged in Haiti - to work together and to coordinate their efforts for the implementation of the emergency economic recovery programme. I have instructed my Special Representative to give special attention to this aspect of his mission and to help in every way possible the institution of harmonious and efficient cooperation between the Government and people of Haiti on the one hand and the various representatives of the international community on the other.

90. UNMIH's present mandate expires on 31 January 1995. I recommend that the Council authorize its extension for a period of six months, to 31 July 1995. Based on my consultations with potential contributors of military and civilian police personnel (see para. 73 above) and with the United States as the leader of the multinational force, I expect that UNMIH will be able to take over on or around 31 March 1995. This means that part of the forthcoming election campaign will take place during the multinational force phase, while the rest of the campaign and the actual election will take place after the handover to UNMIH.

Discussions will continue throughout the coming weeks to make sure that the handover does not affect, during the critical election period, the effectiveness of the support the international community has undertaken to give Haiti and its people.

91. I am confident, and so are all the people involved with the planning of the Mission, that UNMIH will be able to fulfil its mandate satisfactorily and give all necessary assistance to the Government of Haiti to sustain a secure and stable environment. To do so, however, it will need both the continued commitment of all those who provide its human and material resources and the continued cooperation of the people of Haiti.

92. Contributing Governments are fully aware of the tasks expected of the soldiers and police officers they will contribute, as well as the Mission's time-frame. I am sure they will stay the course and I am grateful to them for their cooperation and support.

93. As for Haiti, everything suggests the overwhelming majority of its people are determined to defend their newly recovered freedom and that they will oppose with determination any attempt to bring them back to the hated past of intimidation, exploitation and humiliation. The Haitian people do not need reminding that the goodwill of the international community towards their country is no substitute for their own efforts to build their future, stand up for their rights and protect their dignity.